

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAVID C. JUAREZ,

Petitioner,

v.

Case No. 23-CV-368

RACINE COUNTY CIRCUIT COURT, et al.,

Respondents.

RECOMMENDATION AND ORDER

Before the court is David C. Juarez's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Juarez filed two similar petitions, which the court recommended be dismissed because he failed to exhaust his remedies in state court. *See* Case Nos. 23-CV-334; 23-CV-396.

In this action, despite having been instructed to do so (ECF No. 2), Juarez has failed to either pay the filing fee or request that he be allowed to proceed without prepayment of the filing fee. He has also failed to comply with the standing order of the Chief Judge to return the Consent to Proceed Before a Magistrate Judge Form.

IT IS THEREFORE RECOMMENDED that Juarez's petition and this action be dismissed pursuant to Civil Local Rule 41(c).

IT IS FURTHER ORDERED that, in accordance with 28 U.S.C. § 636(b)(1)(B) and (C) and Fed. R. Civ. P. 72(b)(2), any written objections to any recommendation herein or part thereof shall be filed within fourteen days of service of this recommendation. Failure to timely object waives a party's right to review. Alternatively, within 14 days Juarez shall complete and return the Consent to Proceed Before a Magistrate Judge Form and either pay the filing fee or seek leave to proceed without prepayment of the filing fee.

Dated at Milwaukee, Wisconsin this 3rd day of May, 2023.


WILLIAM E. DUFFIN
U.S. Magistrate Judge